

**ENVIRONMENTAL PROTECTION AGENCY  
REGION 1 - BOSTON**

**CLASS. NO.: 1200  
DELEGATION NO.: 8-8**

**DELEGATION OF AUTHORITY**

**DATE: 2/22/17**

**SOLID WASTE DISPOSAL ACT (SWDA)**

**8-8. Inspections and Information Gathering**

**1. PURPOSE AND AUTHORITY.**

A. Purpose. To redelegate the authorities contained in Delegation 8-8 issued by EPA Headquarters on January 18, 2017.

B. Authority. Pursuant to the Solid Waste Disposal Act (SWDA), including Sections 3001 and 3007:

- a. to enter, inspect and obtain samples from any establishment or other place where hazardous or other wastes are or have been generated, stored, treated, disposed of or transported from, to inspect and have access to and copy all records related to such waste;
- b. to request any establishment or other place where hazardous wastes are or have been generated, stored, treated, disposed of or transported from to furnish information relating to such waste;
- c. to conduct monitoring and testing;
- d. to obtain warrants for the purpose of performing inspections and information gathering;
- e. to execute warrants for the purpose of performing inspections and information gathering;
- f. to carry out any other inspection and information gathering activities authorized by the SWDA;
- g. to require the carrying out of any other inspection and information gathering activities authorized by the SWDA; and
- h. to designate representatives of the Regional Administrator to perform the functions specified in subparagraphs 1.B.a., 1.B.b., 1.B.c., 1.B.d., 1.B.e., and 1.B.f. above.

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**2. TO WHOM REDELEGATED.**

A. The authorities in 1.B.a. through 1.B.c., and 1.B.e. through 1.B.h. are redelegated to the Director, Office of Site Remediation and Restoration (OSRR); the Director, Office of Environmental Measurement and Evaluation (OEME); the Director, Office of Ecosystem Protection (OEP); and the Director, Office of Environmental Stewardship (OES), who may exercise this authority independently.

B. The authority in 1.B.d. is redelegated to the Director, OES and the Director, OSRR, who may exercise this authority independently.

C. The Director, OES, further redelegates authorities 1.B.a through 1.B.c., 1.B.e., and 1.B.f. to the staff of the RCRA, EPCRA, and Federal Programs Unit, OES, and no further.

D. The Director, OES further redelegates authorities 1.B.g. and 1.B.h. to the Manager of the RCRA, EPCRA, and Federal Programs Unit, OES, and no further.

E. The Director, OSRR further redelegates the authorities in 1.B.a. through 1.B.c., 1.B.e, and 1.B.f. to the staff of the Emergency Planning and Response, and Remediation and Restoration I and II offices, and no further.

F. The Director, OSRR further redelegates the authorities 1.B.g. and 1.B.h. to the Section Chiefs of Emergency Planning and Response, and Remediation and Restoration I and II offices, and no further.

**3. REDELEGATION AUTHORITY.**

A. In OEME and OEP, the authorities 1.B.a., 1.B.b., 1.B.c., 1.B.e., and 1.B.f. may be redelegated to the staff level and no further.

B. In OEP and OEME, the authorities 1.B.g. and 1.B.h. may be redelegated to the Section Chief level, and no further.

C. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

**4. LIMITATIONS**

A. Prior to obtaining warrants, the Director, OSRR shall consult with the Director, OES, or his/her designee, unless consultation is waived by the Director, OES.

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B. Prior to obtaining warrants, the Directors, OES and OSRR, or his/her designees, shall consult with the Manager, Legal Enforcement Office, OES, or his/her designee regarding the legal sufficiency of the action.

C. The Manager, Legal Enforcement Office, OES, or his/her designee, is responsible for any necessary consultation with Regional Counsel, or his/her designee, regarding significant counseling issues related to warrants.

D. The Directors, OSRR and OES must consult with the Regional Administrator (RA), or his/her designee, prior to obtaining warrants.

E. The Assistant Administrator (AA) for the Office of Land and Emergency Management (OLEM), the AA for the Office of Air and Radiation (OAR), and the AA for the Office of Water (OW) must consult with the AA for the Office of Enforcement and Compliance Assurance (OECA) prior to requesting warrants.

F. The AA for OLEM, the AA for OAR, the AA for OW, and the AA for OECA must notify the appropriate RA prior to exercising any of the authorities specified in subparagraphs 1.B.a. through 1.B.g.

G. The AA for OAR can exercise this authority only for the purposes of developing air emission regulations for hazardous waste treatment, storage, and disposal facilities.

H. The AA for OW can exercise this authority only for the purposes of conducting studies under Section 3018 of the SWDA.

I. This authority may not be redelegated without the concurrence of the Regional Directives Officer, Human Resources Office, Office of Administration and Resource Management.

5. ADDITIONAL REFERENCES.

A. Sections 3001(b)(3)(B) and 3007 of the SWDA.

B. See also Section 3013 of SWDA for the authority to require monitoring, testing, analysis, and reporting.

C. U.S. Environmental Protection Agency Order 3510, *EPA Federal Credentials for Inspection and Enforcement of Federal Environmental Statues and Other Compliance Responsibilities*.




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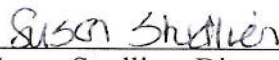
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6. SUPERSESSSION. Region 1 Delegation 8-8, dated August 28, 2009.

  
Deborah A. Szaro  
Acting, Regional Administrator

  
Susan Studlien, Director  
Office of Environmental Stewardship

2/22/17  
Date

02/17/2017  
Date

  
Bryan Olson, Director  
Office of Site Remediation and Restoration

2/16/17  
Date